

King County Superior Court  
Mandatory Arbitration Department  
Arbitrator Complaint Process

PURPOSE

The Alternative Dispute Resolution (ADR) Committee developed the following process for the handling of arbitrator complaints, which the Executive Committee reviewed and approved. This process applies to cases assigned through King County Superior Court's mandatory arbitration rules and allows the Chair of the ADR Committee after reviewing the complaint to either take no further action or refer the complaint to the ADR committee. . If the ADR Committee requests a response from the arbitrator, the ADR Committee may, after reviewing the response received, if any, suspend the arbitrator from the list for a determined period of time, remove the arbitrator from the list, or to take other action which the committee determines best addresses the situation.

General dissatisfaction with the outcome of the arbitration does not provide sufficient grounds for a complaint against an arbitrator. The complainant must be able to identify a specific action or inaction on the part of the arbitrator which contravened the basic aims of arbitration to provide a speedy, fair, and less expensive process to resolve cases. The decisions of the Chair of the ADR Committee and of the ADR Committee regarding arbitrator complaints are final and no further right of appeal exists.

COMPLAINT PROCESS

- I. The complainant will submit their complaint in writing to the Arbitration Department of Superior Court:
  - a. The complaint must contain all necessary identifying case information and set forth specific reasons for the complaint against the arbitrator.
  - b. Upon receipt of the complaint the Arbitration staff will respond to the complainant by email and present the complaint to the Chair of the ADR committee.
  - c. If the Chair of the ADR Committee determines that the complainant has not presented a sufficient basis for further review, the Chair will send a letter to the complainant indicating that he or she has reviewed the complaint and determined that no further action will be taken.

- II. In the event that the Chair of the ADR Committee determines that the complaint contains allegations warranting further review, the following will occur:
- a. The complainant will be notified that further investigation will be made and that the ADR Chair will send the complainant the written decision once the ADR Committee completes its investigation.
  - b. The ADR Committee will provide the arbitrator that is the subject of the complaint a copy of the complaint and ask that the arbitrator provide a written response to the complaint within a specified timeframe.
  - c. If the arbitrator submits the response within the specified timeframe, the Arbitration staff person will present that information at the next ADR Committee meeting along with any other documentation which will assist the judicial members of the ADR Committee to determine what action should be taken.
  - d. The final decision of the ADR Committee will be reached by a vote of the judges present at that ADR Committee meeting with the Chair abstaining unless necessary to establish a majority.
  - e. Final letters will be drafted for the complainant, the arbitrator and any other parties who submitted letters in response to the complaint. The ADR Committee Chair will sign the letter and committee members will be copied.